



## New Jersey Department of Children and Families Policy Manual

Manual:	CP&P	Child Protection and Permanency	Effective Date:
Volume:	VIII	Special Interest Topics	
Chapter:	F	Children in Conflict with the Law	4-3-2018
Subchapter:	1	Juveniles	
Issuance:	500	Referrals to CP&P	

### Who Can Refer

**11-2-87**

Anyone involved in the juvenile justice system may refer a child and family to CP&P at any time. This includes the child, a family member, the police, the Juvenile-Family Crisis Intervention Unit, Court Intake services, shelter and detention personnel, the judge and probation officers. All referrals except those which are court ordered are screened and assessed by CP&P in the same manner as a referral from any other community resource. See [CP&P-II-A-1-100](#) and [CP&P-II-C-2-200](#) for screening and assessment procedures. Referrals alleging child abuse or neglect are handled according to protective services procedures. See [CP&P-II-C-5-1100](#).

### Voluntary Referrals

**10-5-2009**

Referrals not in the form of a court order and not alleging child abuse or neglect are considered to be voluntary on the part of the child and family (child welfare assessments/service referrals, CWS).

After a referral is received on a child who has been identified as a J-F Crisis child or a delinquent and who is unknown to CP&P, there is an evaluation period of up to 14 days during which the Worker gathers data and determines whether CP&P can provide appropriate services, and, if so, develops a service plan. (Exception: In cases in which there are allegations of abuse or neglect, the Worker must follow protective services mandates. See [CP&P-II-C-5-1100](#). In all cases, the determination is made as quickly as possible.

The decision to retain the case for services or to close it is based on factors such as the willingness of the juvenile and/or family to accept services, the availability of appropriate services, the ability of CP&P to provide or arrange for appropriate services, and, in the case of a protective services report, the substantiation of child abuse or neglect.

If CP&P decides that services are indicated, the Worker completes an initial assessment in NJS. The parent is asked to sign CP&P Form [26-81](#), Case Plan Assessment.

CP&P notifies the reporter (referral source) as to whether CP&P will provide

services at the end of the Initial Response Program (within 60 calendar days of SCR assigning the report to the Local Office for response) by sending a Letter to Reporter/Referral Source, CP&P Form [26-64](#). CP&P provides services only when CP&P and the parents agree that CP&P services are necessary and appropriate, or when there is a court order.

### **Referrals Based on CIU/CP&P/Family Part Agreement**

**4-3-2018**

CP&P and the Administrative Office of the Courts signed an affiliation agreement to clarify responsibilities which were not specified in the law. In addition each county has a local affiliation agreement.

Under the statewide [CIU/CP&P/Family Part Agreement](#), CP&P has agreed to accept the following responsibilities:

- CP&P provides information and referral services to clients referred by the CIU.
- CP&P investigates allegations of child abuse or neglect referred by the CIU.
- When a client needs and is willing to accept a service available through CP&P, CP&P arranges the service if it is available.
- If a client family is referred to the CIU and is currently under CP&P supervision, CP&P takes the role of Worker and the CIU terminates involvement. If the CIU and CP&P determine that the case must be brought to court, the CIU refers the case to Court Intake services to file the petition. CP&P provides relevant information for completion of the petition.
- The court orders CP&P to prepare a family service plan.
- CP&P handles removals and running away from CP&P placements alone.
- Runaways - See [CP&P-VIII-E-2-100](#) for situations in which CP&P handles runaways.

### **Referrals in the Form of Court Orders**

**4-3-2018**

When CP&P is ordered by the court to prepare a family service plan for out-of-home placement or to address the disposition of a juvenile-family crisis or delinquency charge, the court places the juvenile under the responsibility of CP&P. A court ordered referral requires CP&P to register the case for services in NJS. The [CIU/CP&P/Family Part Agreement](#) limits when the court may order CP&P to prepare the family service plan to situations where:

- the family is an active CP&P case;
- long-term out-of-home placement and the need for permanency planning or residential treatment seems likely; or
- the primary services needed are most appropriately provided by CP&P.

The parents are asked to sign the CP&P Form [26-81](#), Case Plan Assessment. CP&P provides services regardless of whether the parents agree to sign the

form.

SCR/CP&P completes the screening, information gathering, and initial assessment functions of its initial response in a timely manner. Under both types of court orders, a family service plan is submitted to the court within fourteen (14) days of the order. For good cause shown, it may be submitted within thirty (30) days. To protect the juvenile's right to confidentiality (N.J.S.A. 2A:4A-60.3, see policy [CP&P-IX-G-1-100](#)), when submitting the plan **prior to adjudication**, the assigned Worker or Court Liaison provides the plan directly to the juvenile's defense attorney, and notices the court of the completion of the Division's 14-day plan and its delivery to the defense attorney. The family service plan is presumed valid.

The Worker prepares the family service plan in NJ SPIRIT, in the format of the CP&P [Form 26-81](#), Case Plan Assessment, when the family is a new referral. For families who are active CP&P cases, a new or updated CP&P Form [26-80](#), Court Report, addressing any specifics in the court order, is required. If the Family Court in a certain county prefers a different format, the LO Manager negotiates with the court, and informs staff of the correct format.

If, in the best interests of the child/family, CP&P wants to oppose the court order, CP&P consults with the DAG about what course of action to take. **CP&P complies with the court order unless and until it is changed or vacated.**

## **Financial Responsibility - Juvenile-Family Crisis**

**12-8-87**

When a Juvenile-Family Crisis child is placed in shelter care by the court and is in the shelter at the time of referral to CP&P, decisions must be made regarding financial responsibility, as follows:

1. If the case is opened and closed within 14 days of referral, CP&P does not pay for shelter care.
2. If the case is accepted for services, CP&P pays for shelter care at the rate of \$5.50 per day for days 1 through 14. On day 15 the rate increases to the agreed contract rate. Contact the Area Business Manager for the current contract rate. See codes and procedures, [CP&P-VIII-F-1-600](#).  
NOTE: A decision must be made within 14 days to accept for services or close the case. If no decision is made within that time, CP&P is automatically billed for shelter costs beginning with the 15th day.
3. The effective date of payment is set by the Worker and Supervisor, but may not precede the date of referral to CP&P.
4. Payment ends on the last full day of shelter placement (not the day child is removed).
5. Bills for services are processed using the CP&P Form [K-100](#), Client Service Invoice, if the shelter provider is a "one-time" non-contracted resource; if the shelter provider is "contracted," he or she includes the shelter care services rendered on his or her monthly CP&P Form [K-100](#), Billing Spreadsheet, to the appropriate Local Office via the ["Secure Billing"](#)

[process.](#)

6. Parents are responsible for reimbursing CP&P for maintenance costs based on an evaluation of their ability to pay. See [CP&P-IX-F-1-225](#), Support Procedures.
7. A Juvenile-Family Crisis child under CP&P supervision may be eligible for Medicaid while in shelter care if no other medical care coverage is available.
8. If a Juvenile-Family Crisis child under CP&P supervision and in shelter care needs clothing for a court appearance or similar reason, CP&P may provide funds if other resources are unavailable (parents, shelter clothing funds, etc.) These funds are drawn from the Local Office Bank account and may cover immediate clothing needs only.

#### **Financial Responsibility - Juvenile Delinquency**

**11-2-87**

CP&P does not accept financial responsibility for placement in detention facilities or for related costs such as clothing or Medicaid.

#### **Procedures Related to Processing Referrals - New Cases Juvenile Family Crisis/Juvenile Delinquency**

**10-5-2009**

<b>RESPONSIBILITY</b>	<b>ACTION REQUIRED</b>
SCR Screener/SCR Supervisor  Worker	<ol style="list-style-type: none"><li>1. Process referral as a CWS; gather all information per procedures in <a href="#">CP&amp;P-II-A-1-100</a>.</li><li>2. Review, evaluate, and complete all required documentation as outlined in Initial Assessment, <a href="#">CP&amp;P-II-C-2-200</a>.</li><li>3. Interview child, parents, reporter, and appropriate collateral resources.</li><li>4. Attend court hearings as required.</li></ol>
Worker/Supervisor	<ol style="list-style-type: none"><li>5. Determine if CP&amp;P is the appropriate source of service; if so, develop service plan within 14 days. Provide the plan directly to the juvenile's defense attorney; notice the court of the completion of the 14-day plan and its delivery to the defense attorney.</li></ol>

Worker	6. If the plan is to terminate CP&P intervention, advise the court, in writing, indicating the reason. Allow 10 days for the court to respond before closing the case.
Worker/Supervisor	7. If services will be provided by CP&P, formulate and begin to implement the service plan.
Worker/Litigation Specialist	8. Secure authorization to place the youth out of home; prepare and file court papers. (For placements by voluntary consent, obtain parental authorization to place child using a Residential Placement Agreement, CP&P Form <a href="#">25-59</a> , or a Consent to Independent Living, CP&P Form <a href="#">10-8</a> , as appropriate.)

**JUVENILE-FAMILY CRISIS ONLY (Non-Delinquent)**

<b>RESPONSIBILITY</b>	<b>ACTION REQUIRED</b>
Worker	<p>9. If the juvenile is in shelter care, prepare and process appropriate forms to record placement. Determine if parents have a capacity to contribute toward costs.</p> <p>10. Determine child's eligibility for Medicaid; register in Medicaid via NJ SPIRIT application, if eligible.</p> <p>11. Determine if clothing is needed, and prepare CP&amp;P Form <a href="#">16-76</a>, Special Approval Request, if appropriate.</p> <p>12. Prepare clothing check via NJS, drawn on Local Office bank account.</p> <p>13. Record case movement to indicate change in placement or return home; indicate fiscal responsibility when juvenile is removed from shelter care.</p>

**Processing Referrals - Cases Already Under CP&P Supervision****12-8-87**

If a juvenile-family crisis or delinquency complaint is filed against a child already under CP&P supervision, the assigned Worker and Supervisor must collect the new information and revise the service plan if appropriate.

**Financial Responsibility - Juvenile-Family Crisis****12-8-87**

If a juvenile already under CP&P supervision is placed in shelter care as a result of the juvenile-family crisis complaint, CP&P accepts financial responsibility, effective the date of placement, at the rate in the agreement or contract. Contact the Area Business Manager for the current contract rate. Payment ends on the last full day of placement (not the day child is removed), with billing as required. Parents are responsible for reimbursing CP&P for maintenance costs based on an evaluation of their ability to pay.

While in shelter care, the juvenile may be eligible for Medicaid and for a partial clothing allowance for immediate needs if no other resources are available.

**Financial Responsibility - Juvenile Delinquent****12-8-87**

CP&P does not accept financial responsibility for any placement in a detention facility.

**Procedures Related to Processing Referrals - Cases Already Under CP&P Supervision - Juvenile-Family Crisis/Delinquency****2-6-2006**

<b>RESPONSIBILITY</b>	<b>ACTION REQUIRED</b>
Worker	<ol style="list-style-type: none"><li>1. Review and evaluate new documentation relating to juvenile-family crisis or delinquency matter.</li><li>2. Interview child, parents, reporter and appropriate collateral resources.</li></ol>
Worker/Supervisor	<ol style="list-style-type: none"><li>3. Formulate and begin to implement revised service plan.</li></ol>
Worker/Litigation Specialist	<ol style="list-style-type: none"><li>4. Attend court hearings, as required.</li><li>5. Secure authorization to place the youth out of home: Prepare and file court papers or obtain parental authorization to place child using a Residential Placement Agreement, CP&amp;P</li></ol>

	<p>Form <a href="#">25-59</a>, or a Consent to Independent Living, CP&amp;P Form <a href="#">10-8</a>, as appropriate.</p> <p>6. If juvenile is in shelter care, prepare appropriate forms to record placement.</p>
Worker/Clerk	<p>7. Process the CP&amp;P Form <a href="#">K-100</a>, Client Service Invoice, or the CP&amp;P Form <a href="#">K-100</a>, Billing Spreadsheet, indicating the current contract rate.</p> <p>8. Determine eligibility for Medicaid; register youth in Medicaid, if appropriate.</p>

## **Service Plan      10-5-2009**

When the court has ordered CP&P to be involved, the court requires a service plan to be submitted within fourteen (14) days. To protect the juvenile's right to confidentiality (N.J.S.A. 2A:4A-60.3, see [CP&P-IX-G-1-100](#)), the assigned Worker or Court Liaison provides the plan directly to the juvenile's defense attorney, and notices the court of the completion of the Division's 14-day plan and its delivery to the defense attorney. In all other cases the Division shall prepare a written initial assessment within:

1. Forty-five (45) days of receipt of a report, referral, or application; or
2. Thirty (30) days of a child entering placement, whichever comes sooner.

Service plans are part of the full assessment of a family's situation as contained in the CP&P Form [26-81](#), Case Plan Assessment, prepared in NJ SPIRIT. Assessments are completed in all cases.

An effective service plan contains information about the family's and child's functioning and strengths, and depends upon the family's agreement and cooperation about the tasks that need to be done through family engagement. Family members are included in the development, as well as the implementation, of the service plan. A case goal is selected for each family member receiving services.

Whether the service plan calls for out-of-home placement or providing services while the child remains at home depends on several factors, including:

- if the court has made a specific order about out-of-home placement;
- the risk to the child in staying home, and the parent's willingness and ability to provide care and supervision of and for the child;

- the availability of services in the community, e.g., day treatment, educational programs, family therapy; and
- the child's self-control and motivation to remain in the community.

## **Services to Children in Their Homes**

**6-21-2010**

When the service plan is to leave or return the child to his parents or relatives, CP&P implements a plan to stabilize the family. Resources used may include those provided by CP&P staff, agencies under contract with CP&P, and community service agencies. Some services which may benefit families include individual, family or group therapy, educational and vocational assessment and training, recreation, day treatment, and drug and alcohol abuse counseling.

"The applicant, client...shall have the right to receive a written disposition from the Division as soon as practical but not later than 10 calendar days from the date upon which a finding of substantiated or unfounded is made or upon which a decision to provide or not to provide child welfare services is made." (N.J.A.C. 10:133-1.4(j))

## **Out-of-Home Placement Services**

**12-22-2003**

CP&P makes the decision to place a child away from his parents or relatives when CP&P has assessed the child's needs according to agency standards for provision of placement, determined that placement is required, and obtained the parent's authorization to make the placement. For criteria on when to make an independent living arrangement, see [CP&P-VI-A-1-101](#); for a group home placement, see [CP&P-IV-E-5-100](#); and for a residential placement, see [CP&P-IV-E-1-200](#).

When CP&P decides that a court-ordered placement is not necessary or the appropriate responsibility of CP&P, CP&P consults with the DAG about what action to take. In the meanwhile, CP&P initiates the placement per the court order.

A case goal is selected for each child and family member who receives services. When the case goal is family reunification, the service plan addresses the needs of significant family members. For other case goals, the service plan focuses on the needs of the child.

CP&P may also provide placement services to children in correctional facilities. Such services may include: working with the family to prepare for the child's release, arranging another out-of-home placement when the child is released from the correctional facility, and providing a foster home when a child is furloughed.

Children who are placed by CP&P or whose placements are funded by CP&P are under the jurisdiction of the Child Placement Review Board in addition to being under the court's jurisdiction until the order is terminated. Parents of children entering placement are provided CP&P Form [26-81](#), Case Plan Assessment, within 30 days of placement.



## Authorization for Placement

2-6-2006

When a juvenile-family crisis or delinquent child is to be placed by CP&P, the assigned Worker obtains a court order or secures the parent's signature on the appropriate authorizing document, the Consent to Independent Living, CP&P Form [10-8](#), or the Residential Placement Agreement, CP&P Form [25-59](#). See [CP&P-IV-E-1-400](#) or [CP&P-VI-A-1-101](#) for which signatures must be obtained and which signatures are sought but not required.

If the parent(s) refuses to sign the appropriate agreement, the child cannot be placed unless there is a court order which orders CP&P to make a placement of either a temporary or long-term nature.

## Procedures Related to Service Provision by CP&P

10-5-2009

RESPONSIBILITY	ACTION REQUIRED
Worker/Child/Parents	1. Select the case goal and develop a service plan. 2. Complete CP&P Form <a href="#">26-81</a> .
Worker	3. Submit the service plan directly to the juvenile's defense attorney; advise the court that CP&P completed the 14-day plan and delivered it to the defense attorney.
Worker/Parent	4. Sign the appropriate placement agreement when out-of-home placement in residential treatment (CP&P Form <a href="#">25-59</a> ) or independent living (CP&P Form <a href="#">10-8</a> ) is the plan, and/or obtain a court order.
Worker/Child/Parents/Other Agencies and Resources	5. Implement service plan. 6. Notify the Child Placement Review Board when a child is placed (per instructions in <a href="#">CP&amp;P-IV-A-3-200</a> ).
Worker/Child/Parents/Other Agencies and Resources	7. Complete an assessment in accordance with the tenets of concurrent case planning and best case practice. See <a href="#">CP&amp;P-II-C-2-200</a> , Intake Assessment, <a href="#">CP&amp;P-III-C-6-100</a> , Case Recording, and <a href="#">CP&amp;P-III-B-2-300</a> , Concurrent Permanency Planning.

## **Termination of Voluntary Services**

**11-2-87**

CP&P may terminate services to families who agreed to accept services voluntarily and who are not under court order for CP&P services when:

- the case goal has been achieved, or
- another community agency or resource can provide the needed services, or
- the child is eighteen, unless he or she is 18 to 21 years old and meets the criteria for continuation in [CP&P-III-A-1-100](#), or
- the family is no longer willing to accept services, or
- the child and or family are missing, after CP&P has conducted a search. See [CP&P-III-B-2-100](#) for how to conduct a search.

## **Termination of Protective Services**

**11-2-87**

Children and families who have been provided with protective services may have services terminated when one of the criteria in [CP&P-III-C-8-100](#) are met.

## **Termination of Court Orders**

**1-14-2013**

The court retains jurisdiction over delinquency cases in which it has ordered a disposition, pursuant to N.J.S.A. 2A:4A-47. If the court finds at a hearing that the conditions of the disposition have been violated, another disposition may be ordered.

Court orders terminate when the child reaches eighteen or three years from the date of the court order, whichever is later. Exceptions to this are when:

- the child is incarcerated,
- the original court order specifies an earlier termination, or
- the court so orders, subsequent to the original order.

## **TERMINATION OF SERVICES PROVIDED UNDER COURT ORDER**

**1-14-2013**

### **Missing child or family requires DAG consultation --**

When a child or family has been missing for five months and a search has failed to find them, the Worker consults the Deputy Attorney General (DAG) to determine how long to keep the case and litigation open. If a decision is made to terminate, CP&P continues to search for 30 days and documents its search efforts.

**Court permission required --** The Worker notifies the court of CP&P's intent to close the case at least 30 days before the anticipated case closure and requests the court's approval, pursuant to N.J.S.A. 2A:4A-47b. See [CP&P-VIII-](#)

[E-2-100](#). The notification states the date of intended case closure and explains the reasons for termination, including the services provided, the circumstances that have changed to warrant the request, and the search efforts made.

**Court orders continued services** -- If the court orders CP&P to continue providing services, CP&P complies with the order. CP&P may consult with the Deputy Attorney General about appealing the order.

## **Worker Responsibilities When Terminating a Case**

**11-2-87**

For all types of terminations, the Worker discusses the plan to terminate with the child, parents, other service providers, and Supervisor. If other services will continue or are needed, the continuation of these services is discussed with the family and service provider before termination. Referrals are made if necessary. The Worker notifies the family of the date for discontinuing services and closing the case.

The Worker completes Contact Sheets, CP&P Form [26-52](#); the Case Summary for Closing/Transfer, CP&P Form [26-57](#), or Case Plan Assessment, CP&P Form [26-81](#), to close the case.

## **Procedures Related to Termination of CP&P Services**

**11-2-87**

<b>RESPONSIBILITY</b>	<b>ACTION</b>
Worker/Supervisor/Parents/Child	<ol style="list-style-type: none"><li>1. Determine that services are no longer needed.</li><li>2. Prepare for termination of services. Make parents/child referrals that are part of the plan.</li></ol>
Worker	<ol style="list-style-type: none"><li>3. Notify the court, in writing, of the plan to terminate services at least thirty days before termination, if CP&amp;P involvement was court ordered.</li></ol>
Worker/Supervisor	<ol style="list-style-type: none"><li>4. Confer with the DAG if the court orders CP&amp;P to continue services which CP&amp;P wants to terminate.</li><li>5. Comply with any standing court order.</li></ol>
Worker	<ol style="list-style-type: none"><li>6. Complete the Case Summary for</li></ol>

	<p>Closing/Transfer, CP&amp;P Form <a href="#">26-57</a>.</p> <p>7. Terminate case in NJS.</p>
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